

Erie County Ethics Board

April Meeting Minutes

April 2, 2018 8 a.m. 16th Floor Rath Building

MEMBERS:

___ Steven Schwartz, Chair
___ Chris Trapp, Vice-Chair
___ Rebecca Town, Secretary
___ Miles Gresham,
___ Leslie Ortiz-Fogg, Counsel

STAFF:

___ Vianne Uthman, Administrative Staff

ABSENT:

___ Warren Galloway

OTHERS PRESENT:

___ Ross Kostecky, Legislature Office (recording)

1. Meeting called to order at 8:05.
2. February and March 2018 meeting minutes were reviewed, corrected and approved.
3. Website Updates / Email Updates (Uthman /Town /Schwartz):
 - i. No new request for opinions/actions have been received.
 - ii. No new FOIL Requests have been received.
 - iii. Other communications: Corrections have been made the Board's website including a link to audio recordings of the meetings and a copy of the new disclosure form.
4. Old Business:
 - i. (Ortiz-Fogg) Galloway and Town terms end in 2018 however this may have been recorded wrong because there is usually a one-year gap between appointments and the appointments are now out of synch. The Board will communicate a request to the legislature to extend Rebecca Town's appointment set to expire 2018 to make it consistent with the legal requirement that every year there is one vacancy.
 - ii. No update in the matter of Morton vs. County of Erie, et al.
 - iii. (Schwartz/ Ortiz-Fogg) The Purchasing Dept. had raised concern about county employee with contract as vendor. The vendor contract will not be renewed. The question remains of whether there was a problem with the award of the contract. Did a county employee use their position for a personal gain and did they violate any conditions for the bid? It has been recommended that the Chair meet with the head of the department and ask him to review the situation and find out if they considered changing the duties and responsibilities to include maintenance of the machinery and to report findings to the Board.
5. New Business:
 - i. (Schwartz) 3/14/18 Chair provided testimony to County Executive on proposed changes to Code of Ethics legislation. The Legislation has been signed and sent to the NY Secretary of State.
 - ii. Status of proposed Legislation to Change Code of Ethics
 1. Effect on Board Rules and Regulations

- a. Gifts-The law regarding gifts has become more complex and, for 2019 the Board will need to look at the disclosure form to make sure it is consistent with the new law and to determine how to deal with a mid-year change in policy. Additional follow up will likely be required the first year of implementation. The county should be notifying all employees, board members and elected officials of the changes and the dates they are effective.
- b. Confidentiality- As the Board expands to include designees from the County Legislature we will emphasize the confidential nature of our deliberations and the financial disclosures. Board Members should commit themselves to standards of privacy and confidentiality annually and acknowledge that the Chair is the spokesperson for the Board. Trapp will draft a confidentiality statement to cover deliberations and review of financial disclosures.

2. Effect on 2018 Financial Disclosure Form

- a. As set out in the Public Officers Law the NY State's form is embedded in the state law. As a matter of practice the board will continue to request individuals to use ECBOE form.

iii. Financial Disclosure Forms for 2017 have been distributed.

iv. Miles Gresham has taken on a new position and is resigning from the Board. He will stay on pending replacement.

6. Next meeting scheduled for Monday May 14, 2018 at 8 a.m..

7. Motion to Adjourn passed at 8:49 am.